

**REMARKS**

Claims 1-5, 8-15 and 17-26 are pending in this application. Claim 17 is amended, and claim 26 is newly added. Support for the newly added claim is found at least on page 7, paragraph [0022] of the Applicants' specification. Claims 19-24 are withdrawn from consideration.

**Claim Rejections under 35 U.S.C. § 103**

Claims 1, 2, 5, 8-12, 17 and 25 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Lin et al. (U.S. Publication No. 2004/0203756, herein Lin) in view of Leung et al. (U.S. Publication No. 2003/0087653, herein Leung); and claims 3, 4, 13, 14, 15 and 18 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Lin in view of Leung and further in view of Attar et al. (U.S. Publication No. 2004/0203979, herein Attar).

Initially, Applicants respectfully note that Examiner Khan has employed the same combinations of cited references to reject claims 1-5, 8-15 and 17-25 as was used in the previous Office Action dated March 7, 2006. Indeed, comparing this Office Action dated June 21, 2006 to the previous Office Action, the rejections are word-for-word identical, except for section 5 titled "Response to Arguments". Therefore, Applicants incorporate by reference all of the arguments previously filed in the Amendment under 37 C.F.R. § 1.114 filed on June 6, 2006 in response to the previous Office Action and respectfully submit that the previously filed arguments overcome the rejections included in this Office Action. In addition, the following information is provided, which specifically address points A) through C) included in section 5 titled "Response to Arguments" of this Office Action.

*Point A)*

Examiner Khan asserts that “Page 2, paragraph 23 and 24 of Lin et al show that the MS ‘receives a location signal’ other than that of its original MSC. And, ‘according to the location signal’, the MS sends a location update request message to its new MSC. This shows that the MS is hence enabled or disabled by the signal received.”<sup>1</sup>

However, page 2, paragraphs 23 and 24 of Lin merely states the following:

[0023] Step 1: the MS 100 receives a location signal other than that of its original MSC 40.

[0024] Step 2: according to the location signal, the MS 100 sends a location update request to its new MSC 60. The MSC 60 receives the location update request message and sends a location area update message (MAP\_UPDATE\_LOCATION\_AREA) to a VLR 70 connected to the MSC 60.

Applicants respectfully submit that the above-quoted portion of Lin merely indicates that if a location signal is received from a new MSC 60, the MS 100 sends a location update request to the new MSC 60. In other words, the location update request message is automatically sent by the MS 100 in response to the location signal. Lin does not disclose, teach or suggest that the location update request message may be enabled or disabled based on information included in the location signal transmitted by the new MSC 60.

Therefore, Applicants respectfully submit that the examiner’s statement that “this shows that the MS is hence enabled or disabled by the signal received” is incorrect. Instead, in Lin, a location update request message is enabled based on the presence of the location signal from a new MSC 60 not based on an indicator value included in the location signal.

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<sup>1</sup> Office Action mailed June 21, 2006, page 14, lines 11-14.

*Point B)*

Examiner Kahn goes on to assert that “Lin et al shows indicator value (page 2, paragraph 23 and 24, MS receives a location signal other than that of its original MSC, MS sends a location update request message to its new MSC) and Leung et al show transmission of broadcast service based on a trigger (page 1, paragraph 9) and also show header information (page 2, paragraph 32).

However, Paragraphs 23 and 24 of Lin make no reference whatsoever to an indicator value. Further, while page 1, paragraph 9 and page 2, paragraph 32 of Leung broadly discuss a trigger and header information, respectively, there is no disclosure, teaching or suggestion in Leung that the trigger is included in header information and may be used to enable or disable a location update request message.

*Point C)*

Lastly, Examiner Kahn identifies the motivation for combining the references of Lin and Leung as “identifying the users by a unique identifier which is included in the addressing information (page 1, paragraph 7). That is sending information uniquely to each user.”

Applicants are still unclear as to how “identifying the users by a unique identifier” would improve or have any effect on the method of tracking users as described in Lin, much less motivate one of ordinary skill in the art to modify the method of tracking users described in Lin to include a trigger as described in Leung.

However, Applicants respectfully submit that the motivation is moot because even if combined, the combination of Lin and Leung would still fail to disclose, teach or suggest

“transmitting an overhead message including an indicator value to at least one user of a group; and tracking movement of the at least one user of the group based on a tracking area registration update message received from the user that is enabled or disabled based on the indicator value,” as recited in independent claim 1 or the somewhat similar features recited in independent claims 11, 17 and 25. Accordingly, Applicants respectfully submit that at least the above-emphasized features of independent claim 1 and the somewhat similar features of independent claims 11, 17 and 25 patentably distinguish over the cited references.

In light of the above, Applicants respectfully request that the rejection of claims 1-5, 8-15 and 17-25 under 35 U.S.C. § 103(a), which are all based on a combination of Lin and Leung be withdrawn. In particular, Applicants respectfully request that the rejection of claims 1, 2, 5, 8-12, 17 and 25 under 35 U.S.C. §103(a) as obvious in view of Lin and Leung be withdrawn and that the rejection of claims 3, 4, 13, 15, 15 and 18 under 35 U.S.C. §103(a) as obvious in view of Lin, Leung and Attar be withdrawn because Attar fails to cure the deficiencies of the combination of Lin and Leung.

#### New Claim

New claim 26 is believed to distinguish over the cited references based on its own merits as well as the merits of independent claim 17 from which claim 26 depends. Claim 26 further describes the indicator value. Support for the new claim 26 is provided by the example embodiment of the present invention in the Applicants' specification on page 7, paragraph [0022]. The example embodiment indicates that a “Tracking Area Update Enabled Indicator” (TAUEI) bit may be transmitted in the system overhead by each sector. For example, a network may disable tracking area updates by setting TAUEI to ‘0’ within the interior of a tracking area

and enable tracking area updates in sectors on a boundary between two or more tracking areas by setting this bit to '1'. Further, a network may also use this bit to disable tracking area updates if it determines that the uplink is overloaded.

### CONCLUSION

Accordingly, in view of the above amendments and remarks, reconsideration of the objections and rejections and allowance of each of the pending claims of the present application is earnestly solicited.


Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Scott A. Elchert at the telephone number of the undersigned below.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 08-0750 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17; particularly, extension of time fees.

Respectfully submitted,

HARNESS, DICKY, & PIERCE, P.L.C.

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Gary D. Yacura, Reg. No. 35,416

Scott A. Elchert, Reg. No. 55,149

P.O. Box 8910  
Reston, Virginia 20195  
(703) 668-8000

GDY/SAE/ame